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**From:** CN=Richard Windsor/OU=DC/O=USEPA/C=US  
**Sent:** Fri 9/28/2012 12:48:04 AM  
**Subject:** Re: ap writes through yet again...note dueling experts and state now saying they are going to do analysis  
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We need to send our most recent data sets to Governor Mead tomorrow so he can include them in his analysis.

From: James O'Hara  
Sent: 09/27/2012 08:14 PM EDT  
To: Richard Windsor; Bob Perciasepe; Bob Sussman; Jim Martin; Janet Woodka; Diane Thompson; Lek Kadeli; Ramona Trovato; Arvin Ganesan; Sarah Pallone; Laura Vaught; Alisha Johnson; David Bloomgren  
Subject: ap writes through yet again...note dueling experts and state now saying they are going to do analysis

#### AP News

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By Mead Gruver on September 27, 2012

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America's Curiously Famous Drug-Smuggling Border Trap

CHEYENNE, Wyo. (AP) — New samples from beneath a Wyoming gas field where the U.S. Environmental Protection Agency linked hydraulic fracturing to groundwater pollution seem unlikely to sway hearts and minds on a nationwide debate over the contentious issue: The additional data just isn't a whole lot different, or more substantial, compared to what the EPA detected previously.

Businessweek

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Mike and Chantell Sackett vs. the EPA

Thu August 11, 2011, 10:00pm EDT

New EPA Rules Could Prevent 'Fracking' Backlash

Wed April 18, 2012, 4:42pm EDT

Emissions Rules are On the Way

Thu January 14, 2010, 5:00pm EST

Calgary-based Encana, which owns the gas field in the Pavillion area in west-central Wyoming, still says the EPA research was flawed and, so too, last year's finding that implicated the petroleum industry technique.

An environmental group still says Pavillion shows more regulation is needed for fracking, the practice of blasting of millions of gallons of water and smaller amounts of sand and chemicals down well holes to force open new fissures.

"This newest information reinforces our concerns that fracking may be putting our drinking water and health at risk," Kate Sinding, with the Natural Resources Defense Council, said Thursday. "It's why it's so critical we get safeguards on the books to protect Americans from dangerous drilling practices."

The Pavillion field has shallow gas and geology much different from other gas fields. Fracking occurred unusually close to home water wells, and the EPA has said that any findings in the area shouldn't be applied to fracking in general.

Even so, Pavillion now is widely associated — maybe permanently — with fracking. People with significant concerns about or a stake in fracking scoured the new U.S. Geological Survey data, released Wednesday, that was collected in partnership with the state of Wyoming, EPA and two American Indian tribes.

The EPA drew its findings last year from two wells it drilled to test for pollution and this year's study sought to resample both wells. The USGS released the new data without any analysis.

One hydrogeologist said he didn't see much from which to draw conclusions.

"These groundwater investigations are kind of a tricky business. You don't always get these super-conclusive results with, you know, just a couple rounds of sampling from two wells," said David Yoxtheimer, an extension associate for Penn State's Marcellus Initiative for Outreach and Research.

"When you've got two wells, you really are just kind of scratching the surface. You really aren't able to determine too much. You might be able to detect the contaminants, but from there you need to expand your investigation."

That hasn't happened yet. In fact, just one of the wells was flowing with enough water to yield reliable tests when the latest

samples were taken in April.

Encana has been critical of how the EPA drilled its two wells. Now, it is critical that one of the wells wasn't reliable.

"They couldn't get a good sample because it was so poorly constructed," company spokesman Doug Hock said. "That well really needs to be abandoned and should not be used for further study because it's not a good well."

The data don't contain any surprises, said Encana chemist John Gardner, but do show lower potassium levels and pH and potassium levels. Previously, the EPA had pointed to unusually high pH and the detection of potassium hydroxide, a basic chemical used in fracking, in suggesting that fracking had affected the groundwater tested.

The pH of water tested hadn't declined by much, said Tom Myers, a Reno, Nev., hydrologic consultant for the NRDC, and much of the other data was similar to before.

"There's nothing in this resampling that suggests what they found in December is wrong. It more or less supports that," Myers said. "I would say that the status quo is maintained."

Wyoming officials criticized last year's EPA data and findings almost from the time they saw them. This year, they're being a lot more quiet — in public, anyway.

However, they have noticed "some differences" between this year's data and last year, said Renny MacKay, spokesman for Gov. Matt Mead, who pushed the EPA for the new testing and got it.

"Gov. Mead believes it would be premature to draw conclusions about what those differences mean at this point," MacKay said by email. "He says that before Wyoming makes conclusions he wants some careful analysis done and a technical team will do that and brief the Governor before Wyoming issues any conclusions."

He said state officials were compiling a list of differences they noticed between the two sets of data and would release it soon.

A full peer review of the sampling and findings to date is planned but has not yet been scheduled.